

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, September 27, 1934.

The meeting was called to order, with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 5; absent, none.

The regular order of business was suspended.

The proposal of Jack Love to lease certain property owned by the City on Shoal Creek Boulevard for the purpose of putting in a riding stable was referred to the City Manager and Park Board for consideration.

Councilman Wolf offered the following ordinance:

AN ORDINANCE AMENDING SECTION I OF THE CERTAIN ORDINANCE ENTITLED "AN ORDINANCE REGULATING TRAFFIC ON CERTAIN PARTS OF CONGRESS AVENUE, SIXTH STREET AND GUADALUPE STREET, IN THE CITY OF AUSTIN, CUMULATIVE OF CERTAIN ORDINANCES HERETOFORE ORDAINED, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, AND PRESCRIBING PENALTIES," AS PASSED BY THE CITY COUNCIL ON JUNE 22, 1934.

The ordinance was read the first time and Councilman Wolf moved a suspension of the rules and the placing of the ordinance on its second reading. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the second time and Councilman Wolf moved that the rules be further suspended and the ordinance be placed on its third reading. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the third time and Councilman Wolf moved that the same be finally passed. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor laid before the Council the following:

"Austin, Texas
September 26, 1934.

Mr. Guiton Morgan
City Manager
Austin, Texas.

Dear Sir:

We, the undersigned, have considered the application of the Humble Oil and Refining Company for permission to construct, maintain and operate a drive-in gasoline filling station and to construct curbs and ramps in conjunction therewith at the northeast corner of the intersection of West 19th Street and Guadalupe Street, which improvements are to be located upon property known as the West one-half of Lots 9 and 10, Block "O" in Outlot 20, Division "E" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, and we hereby advise that the following conditions exist:

The property upon which this filling station is to be located is designated as "O" Commercial Use District on the Zoning Map of the City of Austin.

A storm sewer inlet is available for use at the northeast corner of said Guadalupe Street and 19th Street intersection.

We recommend that the Humble Oil and Refining Company be granted permission to construct, maintain and operate said drive-in gasoline filling station and to construct curbs and ramps in conjunction therewith, subject to the following conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways,

building lines to be approved by the City Building Inspector. That the applicant shall confer with the City Engineering Department as to the future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

(2) That all construction of the filling station improvements shall be in accord with the building ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accord with the ordinance prohibiting the disposal of commercial water or oils upon the City streets.

(3) That the grades of the station shall be such that no waste oils or water or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap, which shall be constructed in accordance with our standard plan 2-H-146, and shall be conducted by a pipe connection from said sand trap to the nearest storm sewer at the expense of the applicant. Before commencement of any construction the applicant shall apply to the City Engineer for an estimate of the cost of that portion of the storm sewer which will have to be built within any City street or alley and shall deposit in escrow a sum equal to said estimate with the City Finance Director.

(4) That all filling station improvements, pumps, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the City Engineer's file number 2-G-9.

(5) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-G-9 and shall be of the pre-moulded type.

(6) If when construction is begun, the sidewalk in place proves to be unsatisfactory, in the opinion of the City Engineer, that portion across the driveways shall be replaced in accordance with City specifications and at the expense of the applicant.

(7) That before use of said station the owner shall apply to the Building Inspector for final inspection when he considers that he has complied with all the requirements of the City.

Respectfully submitted,

(Sgd) C. G. Levander,
Asst. City Engineer.

G. S. Moore,
Building Inspector. "

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property situated at the northeast corner of the intersection of West 19th Street and Guadalupe Street, which property comprises the West one-half of Lots 9 and 10, Block "C", in Outlot 20, Division "D" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, and hereby authorizes the Humble Oil and Refining Company to construct, maintain and operate a drive-in gasoline filling station and to construct curbs and driveways in conjunction therewith, subject to the same's being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations and plans, and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the Humble Oil and Refining Company has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

Upon motion of Councilman Wolf, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor laid before the Council the following:

"Austin, Texas
September 26, 1934.

Mr. Guiton Morgan
City Manager
Austin, Texas.

Dear Sir:

We, the undersigned, have considered the application of Joe Sandgarten, acting by and

through L. O. Godwin, General Contractor, for permission to construct, maintain and operate a drive-in gasoline filling station upon property owned by Mrs. M. J. Bowman, same being known as Lot 8, Block 89, of the Original City of Austin, Travis County, Texas, and which property is located at the southeast corner of the intersection of East 8th Street and Red River Street, and we hereby advise that the following conditions exist:

The property upon which this filling station is to be located is designated as "O" Commercial Use District on the Zoning Map of the City of Austin.

A storm sewer inlet is located on the east curb line of Red River Street at a point opposite the south line of East 8th Street.

We recommend that Joe Sandgarten, acting by and through L. O. Godwin, General Contractor, be granted permission to construct, maintain and operate said filling station upon the aforesaid Mrs. M. J. Bowman's property, and to construct curbs and ramps in conjunction therewith, subject to the following conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the City Engineering Department as to the future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

(2) That all construction of the filling station improvements shall be in accord with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accord with the Ordinance prohibiting the disposal of commercial water or oils upon the City streets.

(3) That the grades of the station shall be such that no waste oils or water or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap, which shall be constructed in accordance with our standard plan 2-H-146 and shall be conducted by a pipe connection from said sand trap to the nearest storm sewer at the expense of the applicant. Before commencement of any construction, the applicant shall apply to the City Engineer for an estimate of the cost of that portion of the storm sewer which will have to be built within any City street or alley and shall deposit in escrow a sum equal to said estimate with the City Finance Director.

(4) That all filling station improvements, pumps, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the City Engineer's file number 2-H-397.

(5) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-H-397 and shall be of the pre-moulded type.

(6) If when construction is begun, the sidewalk in place proves to be unsatisfactory, in the opinion of the City Engineer, that portion across the driveways shall be replaced in accordance with City specifications and at the expense of the applicant.

(7) That before use of said station the owner shall apply to the Building Inspector for final inspection when he considers that he has complied with all the requirements of the City.

Respectfully submitted,

(Sgd) C. G. Levander,
Asst. City Engineer.

G. S. Moore,
Building Inspector. "

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property situated at the southeast corner of the intersection of East 8th Street and Red River Street, which property is owned by Mrs. M. J. Bowman and is known as Lot 8, Block 89, of the Original City of Austin, Travis County, Texas, and hereby authorizes Joe Sandgarten, acting by and through L. O. Godwin, General Contractor, to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and driveways in conjunction therewith, subject to the same's being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations and plans, and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and

accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that Joe Sandgarten has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

Upon motion of Councilman Wolf, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor introduced the following resolution:

WHEREAS, E. B. Snead, owner of all of Lot 25 and the south 75 feet of Lot 24, of Enfield "D", within the City of Austin, Travis County, Texas, which property abuts the east side of Windsor Road East, and is located south of the intersection of said Windsor Road East with Parkway, same being locally known as 2213-2215 Windsor Road East, has applied to the City Council for permission to construct a stone curb adjacent to the above described property; and

WHEREAS, The ordinance which regulates the construction of curbs upon or within streets in the City of Austin requires that anyone desiring to construct any curb other than a concrete curb shall get special permission to do so from the City Council of the City of Austin; and

WHEREAS, The City Council has investigated and approved the construction of a stone curb at the aforesaid location; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT E. B. Snead, owner of all of Lot 25 and the south 75 feet of Lot 24, of Enfield "D", within the City of Austin, Travis County, Texas, which property abuts the east side of Windsor Road East and is south of the intersection of said Windsor Road East and Parkway, same being locally known as 2213-2215 Windsor Road East, is hereby granted permission to construct a stone curb adjacent to the above described property provided, however, that said stone curb shall be constructed upon a concrete base and shall have an exposure of 6 inches above the gutter and shall be 10 inches wide at the top in accordance with the standard design for rock curbs as adopted by the City of Austin and as detailed upon the plan hereto attached marked 2-C-501, which plan is hereby made a part of this resolution, and further provided that all work shall be done by a bonded curb and sidewalk contractor and that said curb shall be constructed under the supervision of the City Engineer of the City of Austin and in accordance with lines and grades furnished by the Engineering Department of the City of Austin.

Upon motion of Councilman Alford, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, The Southwestern Bell Telephone Company has presented to the City Council tentative maps and plans showing the proposed construction of its pole lines in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Engineer; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its pole lines in the following streets:

(1) A telephone pole line in CASWELL AVENUE from Park Boulevard to East 43rd Street, the centerline of which pole line shall be 9 feet west of and parallel to the east line of said Caswell Avenue.

THAT the work and construction of said pole lines, including the excavation of the streets and the restoration and maintenance of said streets after said pole lines have been constructed, shall be under the supervision and direction of the City Manager, and in accordance with the ordinances and regulations of the City of Austin governing such construction.

Upon motion of Councilman Wolf, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A 4" gas main in AVENUE L, beginning at the dead end of an existing gas main, which dead end is 28 feet east of and 145 feet south of the intersection of the west line of Avenue L and the south line of West 8th Street Alley; thence in a southerly direction with the centerline of a gas main 28 feet east of and parallel to the west line of Avenue "L" for a distance of 75 feet.

Said gas main described above shall have a cover of not less than 2½ feet.

(2) A gas main in KENT LANE from Enfield Road to Quarry Road, the centerline of which gas main shall be 12 feet east of and parallel to the west line of said Kent Lane.

Said gas main described above shall have a cover of not less than 2½ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is out in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

Upon motion of Councilman Wolf, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The following report of the Board of Equalization was read and approved:

"Austin, Texas
Sept. 26, 1934.

To the Honorable City Council,
Mayor Tom Miller
Councilmen C. F. Alford, C. M. Bartholomew,
Simon Gillis, and Oswald G. Wolf.

We, the Board of Equalization for the year 1934 herewith submit our report as follows:

The Board convened July 17, 1934, and adjourned September 26, 1934. The Board checked all assessments or renditions as presented by the records of the Tax Department, and approved all changes where no protests were filed, as well as looking into all complaints presented to it.

There were submitted to the Board about 2,650 items of change in valuations and new buildings or alterations subject to taxation for the year 1934. A number of protests were made on land values. Some were changed in accordance with adjustments that same were entitled to, and others were allowed to stand as per unit value where it was deemed that no adjustment was needed to make for equalization. We visited every place where requested to do so. The Board heard a total of approximately 900 protests.

In all probability, there will be some appeals to the City Council in cases where the Board did not reach an agreement with the owners.

Due to the excellent condition of the tax records, we not only had ample time in which to handle all protests from property owners, but we were able to assist the Tax Department by making inspections of property for the purpose of furnishing information of one sort or another that they needed.

In compliance with the policy adopted last year, the Board of Equalization will convene about the first of the year 1935 for the purpose of making inspection of and placing valuation on all new construction.

We wish to extend our thanks to the Tax Department for its assistance and cooperation with the Board whenever requested to help us.

Expressing our appreciation for the confidence placed in us by your appointment to serve on this Board of Equalization, we are.

Yours most respectfully,

(Sgd) K. R. Meyer, Chairman;
Otto Ebeling,
J. B. Webb. "

The Mayor introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 2 OF THE CERTAIN ORDINANCE ENTITLED "AN ORDINANCE REGULATING THE OPERATION AND EXHIBITION OF CIRCUSES, DRAMATIC AND THEATRICAL SHOWS, CARNIVALS, MERRY-GO-ROUNDS, MEDICINE SHOWS, WHIPS, VAUDEVILLE SHOWS, FLYING-JENNYS, SKATING RINKS, MINSTREL SHOWS, AND MOVING-PICTURE SHOWS, CONDUCTED IN A TENT, TEMPORARY STRUCTURE, OR IN THE OPEN AIR WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN, AND PRESCRIBING A PENALTY FOR THE VIOLATION THEREOF", AS PASSED BY THE CITY COUNCIL ON SEPTEMBER 20, 1934.

The ordinance was read the first time and Councilman Gillis moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the second time and laid over.

The proposed plumbing ordinance was discussed at length by the Council and a large delegation of plumbers and interested persons present.